

# EXHIBIT N

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

**AFFIDAVIT OF IRVIN JOHNSON**

I, Irvin Johnson, having been duly sworn by law, do hereby depose and state as follows:

1. I am employed by the State of Delaware Department of Correction ("DOC") as a Correctional Officer at the Sussex Correctional Institute ("SCI"), Georgetown, Delaware. I have been employed by SCI since September 2004.

2. On August 6, 2005, I was on duty in the control room of the Multi-Security Building ("MSB"). I was not on duty in the MSB chow hall during breakfast.

3. I had no involvement in the incident that occurred during breakfast in the MSB chow hall as described in Inmate Curtis Collins's Complaint.

Mr. John J.  
Irvin Johnson

SWORN AND SUBSCRIBED before me this 5th day of  
December, 2006.

RHONDA LEE ZAWORA  
NOTARY PUBLIC, STATE OF DELAWARE  
My Commission Expires April 20, 2008  
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NOTARY PUBLIC, STATE OF DELAWARE  
My Commission Expires April 20, 2008

Rhonda Lee Zawora  
Notary